

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 MARIA J. ANELLO

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL
15 SECURITY,

16 Defendant.
17
18

No. 2:17-cv-2441-KJN (PS)

ORDER

19 Plaintiff Maria Anello, a service representative at the Social Security Administration's
20 Santa Rosa, California Field Office, filed the instant action alleging employment discrimination
21 by the Commissioner of Social Security. (ECF No. 1.) Plaintiff resides in Rohnert Park,
22 California.


23 Even assuming, without deciding, that venue is not strictly improper in this district, the
24 court finds that a transfer of venue pursuant to 28 U.S.C. § 1404(a) is nonetheless warranted. 28
25 U.S.C. § 1404(a) provides that "[f]or the convenience of parties and witnesses, in the interest of
26 justice, a district court may transfer any civil action to any other district or division where it might
27 have been brought or to any district or division to which all parties have consented." Here,
28 although the Commissioner of Social Security has a nationwide presence, plaintiff's place of

1 employment where the events at issue allegedly took place is located in the Northern District of
2 California. As such, most of the witnesses and evidence concerning plaintiff's claims would also
3 be located in that district. Additionally, given that plaintiff herself resides in the Northern District
4 of California, that district would logically be more convenient for plaintiff, and no less convenient
5 for the Commissioner of Social Security, than the Eastern District of California. Therefore, on
6 balance, the interest of justice militates in favor of venue in the Northern District of California.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. This action, as well as the pending motion to proceed *in forma pauperis* (ECF No. 2)
9 is TRANSFERRED to the United States District Court for the Northern District of
10 California pursuant to 28 U.S.C. § 1404(a).
- 11 2. The Clerk of Court is directed to administratively close the case in this district.

12 Dated: January 2, 2018

13 
14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE
16
17
18
19
20
21
22
23
24
25
26
27
28